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Docket No.: MER 03.01

Date: April 21, 2004

MAIL STOP PATENT APPLICATION

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Transmitted herewith for filing is the patent application of:

Inventor: WITHERS et al.

For: THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL PRODUCTION

Enclosed are the following:

☒ Letter: SUBMISSION OF INCOMPLETE APPLICATION

☒ Specification 27 pages; Claims 11 pages; Abstract 1 page

☐ Declaration and Power of Attorney

☒ Sheet(s) of drawings 4 pages

☐ An assignment of the invention to:

☐ A certified copy of application No. , filed

☐ Information Disclosure Statement

☐ Preliminary Amendment

☒ Non-Publication Request

☐ Applicant claims small entity status. See 37 CFR 1.27.

Priority is hereby claimed under 35 USC 119 by way of patent application

No. filed

Benefit is hereby claimed under Title 35, United States Code 119(e) of United States provisional application No. 60/496,981 filed August 20, 2003.

The filing fee has been calculated as shown below:

		SMALL ENTITY	LARGE ENTITY
BASIC FEE:		\$385.00	\$ 770.00
TOTAL CLAIMS:	109 - 20 =	89 x 9 = \$801.00	x 18 =
INDEPENDENT CLAIMS:	15 - 3 = 12	12 x 42 = \$504.00	x 86 =
MULT. DEPEND. CLAIMS:		+ 140 =	+ 280 =
TOTAL:		\$ 1,690.00	\$ 770.00

☒ Form PTO-2038 authorizing credit card payment in the amount of \$ 1,690.00 to cover the fees is enclosed.

☐ (\$40.00 Assignment recordal fee is included)

The Commissioner is hereby authorized to charge any additional filing fees required under 37 CFR 1.16 or credit any overpayment to Deposit Account No. 08-1391.

Norman P. Soloway

Attorney of Record

Reg. No. 24,315

Customer No. 27667

CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No. ER771388980US Date of Deposit: April 21, 2004

I hereby certify that this paper and the papers listed thereon are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, and is addressed to MAIL STOP PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of person mailing:

Name of person mailing: Shauna Bronson

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLN. OF WITHERS et al.
FILED: April 21, 2004
FOR: THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL...
DOCKET: MER 03.01

MAIL STOP PATENT APPLICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUBMISSION OF INCOMPLETE APPLICATION

Dear Sir:

Submitted herewith is a transmittal letter and accompanying patent application documents which are incomplete due to the omission of a Declaration and Power of Attorney. The Applicants are **James C. Withers** of c/o Materials & Electrochemical Research Corp., 7960 South Kolb Road, Tucson, Arizona 85706, who is a United States citizen; and **Raouf O. Loutfy** of c/o Materials & Electrochemical Research Corp., 7960 South Kolb Road, Tucson, Arizona 85706, who is a United States citizen. Other details will be found on the transmittal letter.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicants
Reg. No. 24,315

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CERTIFICATE OF EXPRESS MAILING

"Express Mail" Mailing Label No: ER771388980US
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Signature of person mailing



Name of person mailing

Shauna Bronson

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor	WITHERS ET AL.	
Title	THERMAL AND ELECTROCHEMICAL PROCESS FOR METAL PRODUCTION	
Atty Docket Number	MER 03.01	

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

APRIL 21, 2004

Date


Signature

520-882-7623

Telephone number

NORMAN P. SOLOWAY

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**